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PLEASE RECORD AND RETURN TO:
Alice M. Reimche, City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RECEIVED

97 NOV 19 AM 10:20

RESOLUTION NO. 97-185

CITY CLERK
CITY OF LODI

RECORDER
COUNTY CLERK
JAMES H. JOHNSTONE

97 NOV 10 AM 9:58

SAN JOAQUIN COUNTY
CITY SHOWN

EXEMPT FROM FEE

A RESOLUTION OF THE LODI CITY COUNCIL
VACATING AND ABANDONING A PUBLIC UTILITY
EASEMENT, STREET EASEMENT AND TRANSITION
EASEMENT IN LOTS 2 AND 3 OF MAXWELL
INDUSTRIAL AT 30 & 40 NEUHARTH DRIVE, LODI
CALIFORNIA

WHEREAS, on April 19, 1979, there were easements dedicated for public purposes located at 30 Neuharth Drive and 40 Neuharth Drive, Lodi, more particularly described as follows:

30 Neuharth Drive:

Portion of Lot 3 of Maxwell Industrial Park – **60 Foot Street Easement** to be abandoned is described as follows:

The East 60-feet of Lot 3 of "Maxwell Industrial Park" as shown on that map filed for record in Book of Maps and Plats, Volume 24, Page 47, Records of San Joaquin County, California.

SAVE AND EXCEPT the North 10-feet.

40 Neuharth Drive:

Portion of Lot 2 of "Maxwell Industrial Park" – **8 Foot Public Utility Easement** to be abandoned is described as follows:

The West 8-feet of Lot 2 of "Maxwell Industrial Park" as shown on that map filed for record in Book of Maps and Plats, Volume 24, Page 47, Records of San Joaquin County, California.

SAVE AND EXCEPT the North 10 feet and the South 8-feet.

Portion of Lot 2 of "Maxwell Industrial Park" – **Street Easement Transition** to be abandoned is described as follows:

A portion of Lot 2 of "Maxwell Industrial Park" as shown on that map filed for record in Book of Maps and Plats, Volume 24, Page 47, Records of San Joaquin County, California and being more particularly described as follows:

The True Point of Beginning being a point lying on the West line of Lot 2, bearing S00°05'W, 25.00 feet from the Northwest corner of said Lot 2; thence N00°05'E, 25.00 feet to said Northwest corner of said Lot 2 and lying on the South line of Neuharth Drive; thence along a curve to left with a radius of 65-feet, included angle of 7°47'20" and arc length of 8.84 feet; thence along a tangent line N82°17'40"E, 50.00; thence southwesterly to the True Point of Beginning the West line of said Lot 2 to the True Point of Beginning.

SAVE AND EXCEPT the North 10 feet.

WHEREAS, the owners of 30 and 40 Neuharth Drive, have requested that the City of Lodi abandon the portion of said easements within the boundaries of their parcel (APN 062-190-19 and 062-190-14), said easements being shown on the "Maxwell Industrial Park" Subdivision Map recorded in April 19, 1979 in Book of Maps and Plats, Volume 24, Page 47 in the Office of the County Recorder of San Joaquin County; and

WHEREAS, such easements have been superseded by relocation and there are no other public facilities located within the easements; and

WHEREAS, the Streets and Highways Code of the State of California, Sections 8330 and 8333 provide that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest 30 & 40 Neuharth Drive as it appeared at the time and in the document creating the interest, right or encumbrance is as follows:

Knutson, Terry R. and Rose

WHEREAS, in accordance with Streets and Highways Code Section 8300 et. seq., it is the desire of the City Council of the City of Lodi to vacate such easements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

That the Public Utility Easement, Street Easement and Street Easement Transition located at 30 & 40 Neuharth Drive, Lodi, CA (APN 062-190-19 and 062-190-14), said easements being shown on the "Maxwell Industrial Park" Subdivision Map recorded in April 19, 1979 in Book of Maps and Plats, Volume 24, Page 47 in the Office of the County Recorder of San Joaquin County, be vacated and abandoned; and

That from and after the date this resolution is recorded, such easements will no longer constitute public easements.

Dated: November 5, 1997

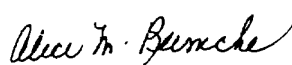
I hereby certify that Resolution No. 97-185 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 5, 1997, by the following vote:

AYES: COUNCIL MEMBERS – Land, Mann, Sieglock, Warner and Pennino
(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS -None


ALICE M. REIMCHE
City Clerk